



5. Plaintiff, **KENNETH LANIER**, is a resident and citizen of Aurora, Colorado and claims damages as set forth below.

6. Plaintiff's spouse, **ARLENE LANIER**, is a resident and citizen of Aurora, Colorado, and claims damages as a result of loss of consortium proximately caused by the harm suffered by her Plaintiff husband.

7. On information and belief, the Plaintiff sustained repetitive, traumatic sub-concussive and/or concussive head impacts during NFL games and/or practices. On information and belief, Plaintiff suffers from symptoms of brain injury caused by the repetitive, traumatic sub-concussive and/or concussive head impacts the Plaintiff sustained during NFL games and/or practices. On information and belief, the Plaintiff's symptoms arise from injuries that are latent and have developed and continue to develop over time.

8. The original complaint by Plaintiff(s) in this matter was filed in United States District Court, Eastern District of Pennsylvania.

9. Plaintiff claims damages as a result of [check all that apply]:

Injury to Herself/Himself

Injury to the Person Represented

Wrongful Death

Survivorship Action

Economic Loss

Loss of Services

— Loss of Consortium

10. As a result of the injuries to her husband, \_\_\_\_\_, Plaintiff's Spouse, \_\_\_\_\_, suffers from a loss of consortium, including the following injuries:

X loss of marital services;

X loss of companionship, affection or society;

X loss of support; and

X monetary losses in the form of unreimbursed costs she has had to expend for the health care and personal care of her husband.

11. X Plaintiff and Plaintiff's Spouse, reserve the right to object to federal jurisdiction.

**DEFENDANTS**

12. Plaintiff and Plaintiff's Spouse, bring this case against the following Defendants in this action [check all that apply]:

X National Football League

X NFL Properties, LLC

— Riddell, Inc.

— All American Sports, Inc. (d/b/a Riddell Sports Group, Inc.)

Riddell Sports Group, Inc.

Easton-Bell Sports, Inc.

Easton-Bell Sports, LLC

EB Sports Corporation

RBG Holdings Corporation

13. NOT APPLICABLE

14. NOT APPLICABLE

15. Plaintiff played in  the National Football League (“NFL”) and/or in  the American Football League (“AFL”) during 1981-94 for the following teams:

Denver Broncos

Oakland Raiders

Denver Broncos

#### **CAUSES OF ACTION**

16. Plaintiff herein adopts by reference the following Counts of the Master Administrative Long-Form Complaint, along with the factual allegations incorporated by reference in those Counts [check all that apply]:

Count I (Action for Declaratory Relief – Liability (Against the NFL))

Count II (Medical Monitoring (Against the NFL))

Count III (Wrongful Death and Survival Actions (Against the NFL))

Count IV (Fraudulent Concealment (Against the NFL))

- X Count V (Fraud (Against the NFL))
- X Count VI (Negligent Misrepresentation (Against the NFL))
- X Count VII (Negligence Pre-1968 (Against the NFL))
- X Count VIII (Negligence Post-1968 (Against the NFL))
- X Count IX (Negligence 1987-1993 (Against the NFL))
- X Count X (Negligence Post-1994 (Against the NFL))
- X Count XI (Loss of Consortium (Against the NFL))
- X Count XII (Negligent Hiring (Against the NFL))
- X Count XIII (Negligent Retention (Against the NFL))
- Count XIV (Strict Liability for Design Defect (Against the Riddell Defendants))
- Count XV (Strict Liability for Manufacturing Defect (Against the Riddell Defendants))
- Count XVI (Failure to Warn (Against the Riddell Defendants))
- Count XVII (Negligence (Against the Riddell Defendants))
- X Count XVIII (Civil Conspiracy/Fraudulent Concealment (Against All Defendants))

17. Plaintiff asserts the following additional causes of action [write in or attach]:

## **PRAAYER FOR RELIEF**

WHEREFORE, Plaintiff and Plaintiff's Spouse, pray for judgment as follows:

- A. An award of compensatory damages, the amount of which will be determined at trial;
- B. For punitive and exemplary damages as applicable;
- C. For all applicable statutory damages of the state whose laws will govern this action;
- D. For medical monitoring, whether denominated as damages or in the form of equitable relief;
- E. For an award of attorneys' fees and costs;
- F. An award of prejudgment interest and costs of suit; and
- G. An award of such other and further relief as the Court deems just and proper.

## **JURY DEMANDED**

Pursuant to Federal Rule of Civil Procedure 38, Plaintiff(s) hereby demand(s) a trial by jury.

RESPECTFULLY SUBMITTED:

/s/ *Gene Locks*

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